

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 05-cr-40012

United States of America

v.

Anthony P. Raymond

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 2/21/2006.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on March 13, 2006.

Sarah A. Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 3/16/06.



Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Worcester)
CRIMINAL DOCKET FOR CASE #: 4:05-cr-40012-FDS-ALL**

Case title: USA v. Raymond

Date Filed: 04/07/2005

Assigned to: Judge F. Dennis
Saylor, IV

Defendant

Anthony Paul Raymond (1)

represented by **Roger Witkin**
6 Beacon Street
Suite 1010
Boston, MA 02108
617-523-0027
Fax: 617-523-2024
Email: roger@rogerwitkin.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

18:401 CRIMINAL CONTEMPT
(1)

Disposition

The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of 30 months. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of 2 years. The defendant is hereby ordered to pay to the United States a special assessment in the amount of \$100.00.

Highest Offense Level
(Opening)

Felony

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

None










Disposition

Plaintiff

USA

represented by **Fred M. Wyshak, Jr.**
 United States Attorney's Office
 John Joseph Moakley Federal
 Courthouse
 1 Courthouse Way
 Suite 9200
 Boston, MA 02210
 617-748-3201
 Fax: 617-748-3954
 Email: Fred.Wyshak@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/07/2005	<u>1</u>	INDICTMENT as to Anthony Paul Raymond (1) count(s) 1. (Jones, Sherry) (Entered: 04/07/2005)
04/07/2005		Judge F. Dennis Saylor IV: Electronic ORDER entered. ORDER REFERRING CASE to Magistrate Judge Charles B. Swartwood Reason for referral: full pre-trial as to Anthony Paul Raymond (Jones, Sherry) (Entered: 04/08/2005)
04/14/2005		Arrest of Anthony Paul Raymond (Roland, Lisa) (Entered: 04/14/2005)
04/14/2005		Electronic Clerk's Notes for proceedings held before Judge

		Charles B. Swartwood :Arraignment as to Anthony Paul Raymond (1) Count 1 held on 4/14/2005, Initial Appearance as to Anthony Paul Raymond held on 4/14/2005, Case called, Counsel (Wyshak, Witkin), PTS Cuascut & Defendant appear, Defendant informed of rights, charges & maximum penalties, Financial affidavit filed, Attorney Witkin appointed CJA, Not Guilty Plea entered by Anthony Paul Raymond (1) on Count 1, Scheduling Order issued, Defendant detained on a prior federal case, Defendant remanded to the custody of the US Marshal. (2:19 P.) (Roland, Lisa) (Entered: 04/14/2005)
04/14/2005	 2	NOTICE OF HEARING as to Anthony Paul Raymond; Status Conference set for 5/26/2005 02:00 PM in Courtroom 1 before Magistrate Judge Charles B. Swartwood, cc/cl. (Roland, Lisa) (Entered: 04/15/2005)
04/14/2005	 3	Judge Charles B. Swartwood : ORDER ON EXCLUDABLE DELAY as to Anthony Paul Raymond; Time excluded from April 14, 2005 until April 28, 2005, cc/cl. (Roland, Lisa) (Entered: 04/15/2005)
04/14/2005	 4	Judge Charles B. Swartwood : SCHEDULING ORDER as to Anthony Paul Raymond, cc/cl. (Roland, Lisa) (Entered: 04/15/2005)
04/14/2005	 5	Arrest Warrant Returned Executed on 4/14/2005 as to Anthony Paul Raymond. (Roland, Lisa) (Entered: 04/15/2005)
04/14/2005	 6	NOTICE re automatic disclosure as to Anthony Paul Raymond (Roland, Lisa) (Entered: 04/15/2005)
04/14/2005	 7	Judge Charles B. Swartwood : CJA 20 as to Anthony Paul Raymond: Appointment of Attorney Roger Witkin for Anthony Paul Raymond. (Roland, Lisa) (Entered: 04/15/2005)
05/24/2005	 8	JOINT MEMORANDUM of the parties re initial status conference by Anthony Paul Raymond. (Jones, Sherry) (Entered: 05/24/2005)
05/25/2005	 9	Judge Charles B. Swartwood : STATUS REPORT as to Anthony Paul Raymond; Status Conference set for 6/30/2005 02:30 PM in Courtroom 1 before Magistrate Judge Charles B. Swartwood, cc/cl. (Roland, Lisa) (Entered: 05/25/2005)
05/25/2005	 10	Judge Charles B. Swartwood : ORDER ON EXCLUDABLE DELAY as to Anthony Paul Raymond; Time excluded from April 28, 2005 until June 28, 2005, cc/cl. (Roland, Lisa)

		(Entered: 05/25/2005)
05/31/2005	<u>11</u>	Discovery Letter as to Anthony Paul Raymond. (Jones, Sherry) (Entered: 06/01/2005)
06/30/2005	●	Electronic Clerk's Notes for proceedings held before Judge Charles B. Swartwood :Status Conference as to Anthony Paul Raymond held on 6/30/2005. Case called, Counsel (Wyshak, Witkin) appear by telephone, Counsel request additional time, Case continued, Time to be excluded. (2:28 P.) (Roland, Lisa) (Entered: 06/30/2005)
07/01/2005	<u>12</u>	Judge Charles B. Swartwood : STATUS REPORT as to Anthony Paul Raymond; Status Conference set for 8/29/2005 02:15 PM in Courtroom 1 before Magistrate Judge Charles B. Swartwood, cc/cl. (Roland, Lisa) (Entered: 07/12/2005)
07/01/2005	<u>13</u>	Judge Charles B. Swartwood : ORDER ON EXCLUDABLE DELAY as to Anthony Paul Raymond; Time excluded from June 28, 2005 until August 29, 2005, cc/cl. (Roland, Lisa) (Entered: 07/12/2005)
08/01/2005	<u>14</u>	MOTION to Dismiss <i>Indictment, Memorandum Of Law In Support of Motion to Dismiss, Certificate of Service</i> as to Anthony Paul Raymond. (Witkin, Roger) Additional attachment(s) added on 8/2/2005 (Jones, Sherry). (Entered: 08/01/2005)
08/01/2005	<u>15</u>	MEMORANDUM in Support by Anthony Paul Raymond re <u>14</u> MOTION to Dismiss <i>Indictment, Memorandum Of Law In Support of Motion to Dismiss, Certificate of Service</i> (filed by counsel as one entry with the motion) (Jones, Sherry) (Entered: 08/02/2005)
08/05/2005	<u>16</u>	ASSENTED TO MOTION for Extension of Time to September 1, 2005 to File Response/Reply as to <u>14</u> MOTION to Dismiss <i>Indictment, Memorandum Of Law In Support of Motion to Dismiss, Certificate of Service</i> as to Anthony Paul Raymondby USA. (Hassett, Kathy) (Entered: 08/08/2005)
08/12/2005	●	Judge Charles B. Swartwood : Electronic ORDER entered granting <u>16</u> Motion for Extension of Time to File Response/Reply as to Anthony Paul Raymond (1). "ALLOWED by the Court. Status Conference remains on 8/29/2005 @ 2:15 pm by telephone." cc/cl (Roland, Lisa) (Entered: 08/12/2005)

08/29/2005	●	Electronic Clerk's Notes for proceedings held before Judge Charles B. Swartwood :Status Conference as to Anthony Paul Raymond held on 8/29/2005. Case called, Counsel (Wyshak, Witkin) appear by telephone, Case to be returned to the District Judge, Oral motion to excluded time, Final Status Report and Order on excludable time to issue. (Digital Recorder 2:30 P.) (Roland, Lisa) (Entered: 09/02/2005)
08/29/2005	●18	Judge Charles B. Swartwood : FINAL STATUS REPORT as to Anthony Paul Raymond, cc/cl. (Roland, Lisa) (Entered: 09/02/2005)
08/29/2005	●	Oral MOTION for Excludable Delay as to Anthony Paul Raymondby USA. (Roland, Lisa) (Entered: 09/02/2005)
08/29/2005	●19	Judge Charles B. Swartwood : Order of Excludable Time. The time is excluded from 8/29/2005 through September 1, 2005, cc/cl. (Roland, Lisa) (Entered: 09/02/2005)
08/31/2005	●17	Opposition by USA as to Anthony Paul Raymond re 14 MOTION to Dismiss <i>Indictment, Memorandum Of Law In Support of Motion to Dismiss, Certificate of Service</i> , c/s. (Jones, Sherry) (Entered: 08/31/2005)
09/02/2005	●	Case as to Anthony Paul Raymond no longer referred to Magistrate Judge Charles B. Swartwood. (Roland, Lisa) (Entered: 09/02/2005)
09/16/2005	●20	RESPONSE to Motion by Anthony Paul Raymond re 14 MOTION to Dismiss <i>Indictment, Memorandum Of Law In Support of Motion to Dismiss, Certificate of Service Defendant's Response to the Government's Opposition To His Motion To Dismiss</i> (Witkin, Roger) (Entered: 09/16/2005)
10/14/2005	●21	Judge F. Dennis Saylor IV: MEMORANDUM AND ORDER entered denying 14 Motion to Dismiss as to Anthony Paul Raymond (1). (Castles, Martin) (Entered: 10/17/2005)
10/17/2005	●	NOTICE OF HEARING: Set Hearing as to Anthony Paul Raymond: Status Conference set for Friday 10/28/2005 at 11:00AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 10/17/2005)
10/17/2005	●	NOTICE OF RESCHEDULING: Reset Hearing as to Anthony Paul Raymond: Status Conference Reset (TIME ONLY) for Friday 10/28/2005 at 3:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 10/17/2005)

10/28/2005	●	ElectronicClerk's Notes for proceedings held before Judge F. Dennis Saylor IV:Status Conference as to Anthony Paul Raymond held on 10/28/2005, Case called, Counsel appear for status conference, Parties inform court case might end up with a plea, but dft's counsel can not commit as of this date, Court sets case for trial, Jury Trial set for Monday 11/21/2005 at 9:00AM in Courtroom 2 before Judge F. Dennis Saylor IV. Final Pretrial Conference set for Wednesday 11/16/2005 at 2:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. Court sets pretrial filings as follows: In limine motions due 11/10/05, Responses due 11/14/05, Proposed voir dire, Proposed jury instructions, Proposed verdict form, and any witness/exhibit lists due by 11/10/05, Court will issue order of excludable delay excluding the time between 10/28/05 and 11/21/05, (Court Reporter M. Kusa-Ryll.) (Castles, Martin) (Entered: 10/28/2005)
10/31/2005	●22	Judge F. Dennis Saylor IV: ORDER entered. ORDER ON EXCLUDABLE DELAY as to Anthony Paul Raymond Time excluded from 10/28/05 until 11/21/05. (Castles, Martin) (Entered: 10/31/2005)
11/14/2005	●	NOTICE OF HEARING: Set Hearings as to Anthony Paul Raymond: Change of Plea Hearing set for Friday 11/18/2005 at 11:00AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 11/14/2005)
11/14/2005	●	Terminate Hearing as to Anthony Paul Raymond: Pretrial conference set for 11/16/05 at 2:00PM is cancelled. (Castles, Martin) (Entered: 11/14/2005)
11/18/2005	●	ElectronicClerk's Notes for proceedings held before Judge F. Dennis Saylor IV:Change of Plea Hearing as to Anthony Paul Raymond held on 11/18/2005, Case called, Counsel and dft appear for Rule 11 Hearing, Dft changes plea of not-guilty and enters a plea of GUILTY to count 1 of the indictment, Plea entered by Anthony Paul Raymond (1) Guilty Count 1. Sentencing set for Friday 2/10/2006 at 3:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. Procedural order re: sentencing to issue, Dft remanded to the custody of the U.S. Marshal.(Court Reporter M. Kusa-Ryll.) (Castles, Martin) (Entered: 11/18/2005)
11/18/2005	●	Terminate Hearing as to Anthony Paul Raymond: Jury trial cancelled. (Castles, Martin) (Entered: 11/18/2005)

11/18/2005	23	Judge F. Dennis Saylor IV: ORDER entered. PROCEDURAL ORDER re sentencing hearing as to Anthony Paul Raymond Sentencing set for 2/10/2006 03:00 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 11/18/2005)
11/23/2005	24	STATEMENT OF FACTS by USA as to Anthony Paul Raymond (Hassett, Kathy) (Entered: 11/23/2005)
02/10/2006		ElectronicClerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Sentencing held on 2/10/2006 for Anthony Paul Raymond (1), Count(s) 1, Case called, Counsel and dft appear for sentencing, Court sentences the dft as follows: The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of 30 months. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of 2 years. The defendant is hereby order to pay to the United States a special assessment in the amount of \$100.00.. (Court Reporter M. Kusa-Ryll.) (Castles, Martin) (Entered: 02/10/2006)
02/21/2006	25	NOTICE OF APPEAL by Anthony Paul Raymond Filing fee \$ 255. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 3/13/2006. (Witkin, Roger) (Entered: 02/21/2006)